

Poor Law (Ireland) Bill.

ARRANGEMENT OF CLAUSES.

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Valuations not to be interfered with; 16.



(Ireland.)

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FURTHER TO

Amend the Acts for the more effectual Relief of
the destitute Poor in Ireland.

WHEREAS it is expedient that certain Amendments should be made in the Provisions of an Act passed in the Session of Parliament holden in the First and Second Years of the Reign of Her Majesty the Queen, and Chapter Fifty-six, intituled
5 "An Act for the more effectual Relief of the destitute Poor in
"Ireland," and in other Acts amending the same: Be it therefore
enacted by the Queen's most Excellent Majesty, by and with the
Advice and Consent of the Lords Spiritual and Temporal, and Com-
mons, in this present Parliament assembled, and by the Authority of
10 the same, as follows:

I. No Person receiving Rent or Tithe shall be entitled to vote in
respect thereof for any greater Amount of Rent or Tithe than the
actual Value of the Property out of which such Claim arises, according
to the Valuation of the same in the Survey or Valuation of rateable
15 Hereditaments for the Time being in force in the Union, and no
Person shall be entitled to vote in respect of any Rent derived from
any Portion of Premises less than the entire of One Rating let by him
to One Tenant.

No Person to
vote for
greater
Amount of
Rent or
Tithe than
the rated
Value of the
Property.

[Bill 96.]

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II. No

Non-occupying Ratepayers to give full Description of Property in respect of which they claim to vote, and of their Interest therein.

II. No Ratepayer shall be entitled to vote either in Person or by Proxy in respect of any Property not being in his actual Occupation, or to give any Vote in addition to the Vote or Votes to which he would be entitled as an Occupier paying Rent equal to the annual Value of the Property in his actual Occupation, unless he or his Proxy shall, before the *First Day of February* next preceding the Twenty-fifth Day of March in the Year in which he shall claim to vote, have given a Statement in Writing of the Name and Address of such Ratepayer, and the Description and local Situation of the Property in respect of which he claims to vote, specifying in Cities, Towns, and their Suburbs, having Streets and other Roadways, the Name of the Street or Roadway and the Number of the House or Tenement, if any, and the Parish in which the Property is situate, and in other Places the Barony, Parish, and Townland, so that the Property may be ascertained and identified with reasonable Certainty, together with the Nature of the Interest of the Ratepayer therein, and its net annual Value over and above all Rents payable by him, and the Amount of Rent payable to him, and the Names of the Tenants or Occupiers by whom Poor Rates have been deducted from such Rent.

Proxies to be limited to Five Years.

III. The Appointment by a Ratepayer of a Person to vote as his Proxy shall, unless sooner revoked, remain in force for the Period of *Five Years* from the Date of the Appointment, but no longer, and may be revoked at any Time.

Book of Property Voters to be made out.

IV. The Guardians of the Poor of each Union in Ireland shall, on or before the *Fifth Day of February* in every Year, cause to be entered in a Book to be from Time to Time provided for that Purpose, and to be called the Book of Property Voters, the Names and Addresses of all Persons who shall, before the *First Day of February* in the said Year, have given such Statements in Writing, and made such Claims as Ratepayers or Proxies as aforesaid; and in the Cases of Cities or Towns the Guardians shall cause all Claims lodged with them arising out of Property within the same to be arranged in Wards and Streets, and according to the numerical Order of the Property out of which such Claim is made; and the said Guardians shall allow any Person to peruse such Book and make Extracts therefrom, without Payment of any Fee, at all reasonable Hours on any Day, except Sundays, between the said *Fifth Day* and the *Twentieth Day of February*.

Objections in Writing to Right to vote.

V. Any Person who has given such Statement or made such Claim as aforesaid, or who is rated as an Occupier or Owner of an Hereditament in any Electoral Division of a Union, may, on or before the *Twentieth Day of the said Month of February*, object to any other Person

Person as not being entitled to vote in Person or by Proxy in the Election of Guardians for the same Electoral Division, or to his Right to have the Number of Votes claimed by or assigned to him, and may also object to any Person claiming to vote as a Proxy as
 5 not being authorized to act as such Proxy by delivering to the Clerk of the Union, and at the Address of the Person so objected to, or forwarding the same to his Address in an Envelope prepared and properly directed, Notice in Writing of the Grounds of such Objection; and on or before the *Twenty-fifth Day of such Month of February*
 10 such Clerk of the Union shall give to the Guardians of the Poor of such Union Notice of some Day, not sooner than the *First* nor later than the *Fifth Day of the Month of March* then next, on which he or some Person duly appointed for the Purpose shall attend to hear Evidence in relation to such Objections, and of the Place within the
 15 Union at which he or such other Person shall attend to hear such Evidence; and such Guardians of the Poor shall forthwith cause a Copy of such Notice to be published in One or more of the Newspapers having Circulation in such Union, and in the usual Places for affixing public Notices in the said Union or Electoral Division.

20 VI. The Clerk of the Union or other Person duly appointed shall attend on the Day and at the Place so appointed, and shall in the Presence of all Persons who may think fit to be present hear any Matter adduced in support of any such Objection or in opposition thereto, but none other; and the Rate Books of the Union for the
 25 whole Year preceding, and the Book of Property Voters as aforesaid, shall be produced; and the Collectors of Poor Rates for the Union or Electoral Division shall then and there attend, and shall answer such Questions as the said Clerk of the Union or other Revising Officer shall put to them, or any of them, touching the Matter of any of such
 30 Objections; and such Clerk of the Union or other Revising Officer shall retain in the said Book of Property Voters and on the Rate Book the Names of all Persons to whom no Objection has been duly made, and of all Persons objected to, unless the Person objecting, or some Person duly authorized on his Behalf, have appeared in support
 35 of his Objection, and established the making of such Objection; and when the Name of any Person has been duly objected to, such Clerk or other Revising Officer shall require Proof of the Right of such Person to vote as a Ratepayer in respect of the Premises out of which he claims, or is stated to be entitled to vote, or to have the Number
 40 of Votes claimed or assigned to him, or to act as Proxy on behalf of any Ratepayer; and in case the Right of the Person so objected to shall not be proved to the Satisfaction of such Clerk of the Union or other Revising Officer, he shall expunge the Name of such Person from such Book, or shall disallow such Votes in part or wholly, or
 [96.] A 2 such

Hearing of
Objections.

such Claim to act as Proxy, according to the Right and Justice of the Case; and such Clerk or other Revising Officer shall have Power to adjourn from Time to Time, and shall write his Initials against every Name struck out, or Number of Votes altered, and shall sign his Name at the Foot of every Page of the said Book of Property Voters 5 and of the said Rate Book; and the Persons whose Names as Ratepayers or Proxies are retained by such Clerk of the Union or other Revising Officer in such Books shall (subject to the Provisions herein-after contained respecting Appeals from such Decisions), be the only Persons entitled to vote as Ratepayers or Proxies in such Electoral 10 Division or Union; provided that every Person whose Name shall appear as a rated Occupier or Property Voter in any Book in force at the Time of any Revision taking place in or after the Year *One thousand eight hundred and fifty-seven*, shall be *prima facie* entitled at such Revision to have such Votes, and in respect of such Property 15 or Occupation as is stated in the said Book then in force, until it shall be proved to the contrary.

Revising
Officer to
have Power
to summon
Witnesses,
and examine
on Oath.

VII. The Clerk of the Union or other Revising Officer shall have Power to summon as Witnesses any Persons whose Evidence may appear to be material, and shall administer an Oath or Affirmation to 20 all Persons examined before him, and all Persons whether claiming or objecting or objected to, and all Persons whomsoever, shall be examined on Oath or Affirmation touching the Matters in question, and every Person taking an Oath or Affirmation under this Act who shall wilfully swear or affirm falsely shall be deemed guilty of Perjury. 25

Paid Officer
may be ap-
pointed
when neces-
sary for
Revision of
Lists.

VIII. The Poor Law Commissioners may, if they see fit, by Order under their Hands and Seal, appoint some Person other than the Clerk to such Guardians as a paid Officer to hear and decide the Matter of such Objections as aforesaid, who shall have all such Powers as are herein-before given to the Clerk of the Union, and shall per- 30 form all such Duties as are herein-before imposed on the Clerk in that Behalf.

Poor Law
Inspectors to
be Returning
Officers in
case of con-
tested Elec-
tions of
Guardians.

IX. In all Cases of contested Elections of Guardians of the Poor the Poor Law Commissioners shall appoint as Returning Officer at such Elections One of the Poor Law Inspectors, or in failure of such a Barri- 35 ster of not less than *Ten Years* standing, and such Returning Officer shall perform such Duties as the said Commissioners shall have prescribed, and make a true Return in Writing to the Commissioners of the Persons who shall be elected Guardians, and such Inspector or Barrister shall be paid or allowed such Payment or Remuneration 40 for his Services as shall appear to the said Poor Law Commissioners just and reasonable.

X. In

Returning
Officer to
hear Appeals
from De-
cision of
Revising
Officer.

X. In case of a contested Election the Returning Officer shall and may rehear by way of Appeal any Objection or Claim made and decided on by the Clerk of the Union or other Revising Officer, and shall finally adjudicate in respect of the same, and alter and amend the said Book of Property Voters or the said Rate Book in conformity with such his Decision, and shall have the like Power and Authority as to summoning and Examination of Witnesses and Administration of Oaths and Affirmations and otherwise as the said Clerk of the Union might have had; provided that no such Appeal shall be entertained unless Notice thereof, signed by the Person complaining of the Decision of the said Revising Officer, shall have been given on or before the *Tenth Day of March* in the said Year to the Clerk of the Union, and also at the Address of the Party objected to as in manner herein-after provided.

Notice may
be by Post.

XI. In all Cases of Notice to any Person objected to as not being entitled to vote in Person or by Proxy in the Election of Guardians for the same Electoral Division, or to have the Number of Votes claimed by or assigned to him, or to vote as Proxy, and in all Cases of Appeal under this Act, it shall be sufficient if the Notice so required to be given as aforesaid shall be sent by the Post, the Sum chargeable as Postage for the same being first paid, directed to the Person to whom the same shall be sent at his Place of Abode as described in the List of Voters as aforesaid; and whenever any Person shall be desirous of sending any such Notice of Objection or Appeal, as the Case may be, by the Post, he shall deliver, the same duly directed, open and in Duplicate to the Postmaster of any Post Office where Money Orders are received or paid within such Hours as shall have been previously given Notice of at such Post Office, and under such Regulations with respect to the Registration of such Letters as shall from Time to Time be made by the Postmaster General in that Behalf; and the Postmaster shall compare the said Notice and the Duplicate, and on being satisfied that they are alike in their Address and in their Contents shall forward one of them to its Address by the Post, and shall return the other to the Party bringing the same, duly stamped with the Stamp of the said Post Office; and the Production by the Party who posted such Notice of such stamped Duplicate shall be Evidence of the Notice having been given to the Person at the Place mentioned in such Duplicate on the Day on which such Notice would in the ordinary Course of Post have been delivered at such Place: Provided always, that if no Abode of the Person objected to shall be described in the said List, or if such Place of Abode shall be situate out of the United Kingdom, then it shall be sufficient if such Notice shall be given to the Clerk of the Union in which the Property shall be situate out of which such Person shall claim to vote.

Costs of
frivolous
Appeals and
Defences.

XII. In case it shall appear to the Returning Officer that any Appeal shall have been made or resisted under this Act on frivolous or vexatious Grounds, such Returning Officer may at his Discretion order the Person so making or resisting such Appeal to pay such Costs or any Part of the Costs of prosecuting or resisting such Appeal, not exceeding in any One Case the Sum of *Twenty Shillings*, as he shall consider to be just; and he shall not hear or entertain any Appeal or Defence to an Appeal by or on behalf of the same Person until such Costs have been paid to the Person entitled to receive the same, or deposited in the Hands of the Returning Officer for the Use of the Person so entitled; and such Costs may be recovered by Civil Bill where any such Order for Payment of Costs shall have been made by the Returning Officer.

Poor Rate
Collectors to
fill in Name
of Landlord
in Duplicate
Receipts.

XIII. Every Collector of Poor Rates shall, when giving to any Ratepayer a Duplicate Receipt for Poor Rates for the Landlord of such Ratepayer, enter therein the Name of such Landlord according to the Statement of such Ratepayer, and shall make an Entry of such Name in the Counterpart of such Receipt in the Rate Receipt Cheque Book which he shall keep, and shall not issue any such Duplicate for a Landlord without such Information being required and given.

Retailers of
Malt and
Spirits not to
be elected
Guardians
or on Dis-
pensary
Committees.

XIV. From and after the *passing of this Act* no Person who shall be licensed to sell Malt or Spirituous Liquor by Retail shall be elected as a Guardian of the Poor of any Union in Ireland or Electoral Division thereof, or as a Member of any Dispensary Committee formed under the Provisions of an Act passed in the Session of Parliament holden in the Fourteenth and Fifteenth Years of the Reign of the Queen, and Chapter Sixty-eight, and intitled "An Act to provide for the better Distribution, Support, and Management of the Medical Charities in Ireland; and to amend an Act of the Eleventh Year of Her Majesty, to provide for the Execution of the Laws for the Relief of the Poor in Ireland."

Existing
Proxies to
cease.

XV. All Appointments to vote by way of Proxy made before the *passing of this Act* shall be inoperative and cease.

Valuations
not to be
interfered
with.

XVI. Nothing in this Act contained shall be taken to authorize any Revising Officer or Returning Officer to entertain any Objection or to make any Alteration in any Book in respect of the Valuation of any Hereditament rated to the Relief of the Poor.

Poor Law (Ireland).

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FURTHER TO

Amend the Acts for the more effectual Relief of the destitute Poor in Ireland.

(*Prepared and brought in by
Mr. Stirling and Mr. Grogan.*)

*Ordered, by The House of Commons, to be Printed,
10 April 1856.*

[Bill 96.]

Under 2 oz.